

ATTACHMENT I

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 3694	:	
	:	
Examiner: Kirsten S. Apple	:	INTEGRATED INVESTMENT
	:	MANAGEMENT SYSTEM
	:	WITH NETWORK DATAFEED
	:	
Applicants: Stewart et al.	:	
	:	
	:	
Serial No.: 09/915,993	:	Confirmation No. 1119
	:	
	:	
Filing Date: July 26, 2001	:	

DECLARATION TO ANTEDATE CITED REFERENCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

We, Robert S. Stewart and Roland E. Collins III, declare as follows:

1. We are each over the age of eighteen and competent to make the present Declaration. We understand that we are making this Declaration in connection with the captioned patent application.
2. We are named inventors of the captioned patent application ("Subject Application").
3. We conceived and reduced to practice the invention described and claimed in the Subject Application ("Invention") prior to February 24, 2000, including embodiments of

an integrated investment management system ("IIMS") and associated methods having the following features and functions: the IIMS included an application server in communication with a database server; the IIMS could perform analysis of investment portfolios by aggregating a plurality of securities in the investment portfolio by security type; the IIMS could monitor investment portfolios and generate reports associated with holdings of the investment portfolios; and the IIMS could perform operations using data from accounting systems and/or data vendors.

4. In support of the reduction to practice date in paragraph 3, at certain relevant times during the conception and reduction to practice of the Invention, our colleagues Clyde M. Kessinger and William Scott Neff witnessed our work on the Invention, including embodiments of the Invention that possessed the features and could perform the functions listed in paragraph 3.

5. In support of the reduction to practice date in paragraph 3, we attach as Exhibit A a Declaration of Clyde M. Kessinger who witnessed our conception, development, and reduction to practice of the features and functions of the Invention listed in paragraph 3.

6. In support of the reduction to practice date in paragraph 3, we attach as Exhibit B a Declaration of William Scott Neff who witnessed our conception, development, and reduction to practice of the features and functions of the Invention listed in paragraph 3.

7. We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

Atty. Docket No. 00564


Serial No. 09/915,993

Declaration of Robert S. Stewart and Roland E. Collins III



Robert S. Stewart

Date 5-1-08



Roland E. Collins III

Date 5-4-08

EXHIBIT A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 3694	:	
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DECLARATION OF CLYDE M. KESSINGER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

I, Clyde M. Kessinger, declare as follows:

1. I am over the age of eighteen and competent to make the present

Declaration. I understand that I am making this Declaration in connection with the captioned patent application.

2. I am presently employed as a Vice President and Senior Investment Advisor at Wilmington Trust Corporation and personally manage approximately \$1.4 billion in discretionary assets.

3. I have never been employed by and do not have any financial interest in (i) Robert S. Stewart and Roland E. Collins (the "Inventors"), or (ii) InvestEdge, Inc., which I have been informed is the assignee of the captioned application. I have never reported to the Inventors in any employment capacity.

4. Around 1993, I started working with the Inventors at a large banking institution. I was employed by the banking institution as a portfolio manager. I also held the title of "Investment Counselor" while working at the banking institution.

5. After 1993 but prior to February 24, 2000, I witnessed work performed by the Inventors on development and implementation of an integrated investment management system ("IIMS") designed to help portfolio managers analyze portfolios and provide clients with presentation quality reports on an ad-hoc basis.

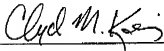
6. During development and implementation of the IIMS, I communicated with the Inventors regularly through telephone calls and e-mail communications to provide feedback on features and functionality of the IIMS and to discuss the kinds of deliverables investment managers needed from the IIMS to do their jobs. The Inventors also hosted regular conference calls with other investment managers who worked at the banking institution to discuss features and functions of the IIMS.

7. Based on my experience with using the IIMS and to my knowledge prior to February 24, 2000, the IIMS provided the following features and functionality: (i) it was the first time I had seen a portfolio management system that offered ad-hoc reports that were account specific and leveraged the web so that wait time was de minimus; (ii) reports could be created quickly which allowed me to provide clients with quality presentations on short notice; (iii) before IIMS, I had to order reports which came on low quality paper and looked like they

were hand typed, and they offered no analysis especially in regard to portfolio attribution; (iv) IIMS offered portfolio analysis from which we could gain a clear perspective on client accounts; (v) the IIMS was browser-based and provided users with the benefits of the web such as being able to go backward, seeing information in color, and using a point-and-click environment to obtain information more quickly; (vi) the IIMS included an application server in communication with a database server; (vii) the IIMS could perform analysis of investment portfolios by aggregating a plurality of securities in the investment portfolio by security type; (viii) the IIMS could monitor investment portfolios and generate reports associated with holdings of the investment portfolios; and (ix) the IIMS could perform operations using data from accounting systems and/or data vendors.

8. To my knowledge, prior to February 24, 2000, the IIMS was workable in that it functioned for its intended purpose in performing the functions listed in paragraph 7.

9. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.



Clyde M. Kessinger

Date 5/1/08

EXHIBIT B

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DECLARATION OF WILLIAM SCOTT NEFF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

I, William Scott Neff, declare as follows:

1. I am over the age of eighteen and competent to make the present Declaration. I understand that I am making this Declaration in connection with the captioned patent application.
2. I am presently employed as a Principal at The Glenview Trust Company where I am the Chief Investment Officer.
3. I have never been employed by and do not have any financial interest in (i) Robert S. Stewart and Roland E. Collins (the "Inventors"), or (ii) InvestEdge, Inc., which I

have been informed is the assignee of the captioned application. I have never reported to the Inventors in any employment capacity.

4. Around 1995, I started working with the Inventors at a large banking institution. I worked at the large banking institution as a director and a portfolio manager for about eight years.

5. After 1993 but prior to February 24, 2000, I witnessed work performed by the Inventors on development and implementation of an integrated investment management system ("IIMS") designed to help portfolio managers analyze portfolios and provide clients with presentation quality reports on an ad-hoc basis.

6. During development and implementation of the IIMS, I communicated with the Inventors as a power user of the IIMS to provide feedback on its features and functionality and to discuss the kinds of deliverables investment managers needed from the IIMS to do their jobs.


7. Based on my experience with using the IIMS and to my knowledge prior to February 24, 2000, the IIMS provided the following features and functionality: (i) the IIMS received data from a trust accounting system, combined it with other vendor-provided data and provided portfolio analysis, monitoring and reporting functions; (ii) the IIMS performed portfolio rebalancing and trade upload, automating what was a manual task prior to the system being rolled out; (iii) the IIMS included an application server in communication with a database server; (iv) the IIMS could perform analysis of investment portfolios by aggregating a plurality of securities in the investment portfolio by security type; (v) the IIMS could monitor investment

portfolios and generate reports associated with holdings of the investment portfolios; and (vi) the IIMS could perform operations using data from accounting systems and/or data vendors.

8. To my knowledge, prior to February 24, 2000, the IIMS was workable in that it functioned for its intended purpose in performing the functions listed in paragraph 7.

9. I am a customer of InvestEdge, Inc., and to date I have not seen a similar portfolio management system that can perform the same functions as effectively and efficiently as the IIMS.

10. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.


William Scott Neff

Date 5/5/08